



REMARKS

Except as expressly discussed below, any changes made to the Application, including the claims, are not made in Reply to any rejection or other communication from the Examiner, but are made to improve the clarity, readability, or understanding of the application or a portion of the application that was changed. As is evident, none of the foregoing amendments was made to add new matter, and none was made to narrow the scope of the claims. Indeed, all amendments were made merely as cosmetic amendments to improve the readability and coherence of the resulting patent.

Status of Prosecution

10 Applicant filed the original application on July 20, 2001. The Examiner mailed a first, non-final office action pertaining to restrictions on August 2, 2002 (Paper No. 4). Applicant filed a Reply to Paper No. 4 on August 26, 2002 (Paper No. 5). The Examiner mailed a first substantive, non-final office action (“Office Action 02”or “Office Action”) on December 5, 2002 (Paper No. 6). In reply to Paper 6, Applicant filed a Reply to Paper 6 in which Applicant amended certain claims and added new claims 31-37. Subsequently, on June 6, 2003, the Examiner mailed a second non-final substantive office action. This paper is in reply to that office action.

As a result, claims 1-37 are pending. Claims 24-30, however, are withdrawn from consideration. Accordingly, claims 1-23 and claims 31-37 are under examination.

20 As a result of this Reply, however, in view of the allowable subject matter identified by the examiner beginning on page 5 of the Office Action, and continuing on carryover page 6, Applicant has added new claims 38-49.

25 Therefore, Applicant respectfully requests reconsideration and withdrawal of the rejections and objections raised in the Office Action, and allowance of the claims under examination as provided in this Reply.

In the Drawings

In amended Figure 11 reference numeral 70 was deleted.

Following the Appendix page, which is the last numbered page in this Reply, formal replacement drawing figures that include all amendments made during prosecution, are provided.

Examiner's General Objections and Rejections

In the present Office Action, the Examiner rejected claims 1-10, 17, 18, 21-23, 31, 32, and 34-37. The Examiner objected to claims 11-16, 19, 20, and 33, but indicated that those claims would be allowable, although objected to, if rewritten in independent form. The 5 Examiner also indicated that claim 23, if amended to overcome a §112 rejection, would be allowable.

On page 2 of the Office Action, the Examiner objected to drawing informalities. In Reply, Applicant has included a proposed amendment to Figure 11, and has included formal drawing figures for all drawing figures amended during prosecution.

10 On page 2 of the Office Action, the Examiner rejected claims 21-23 under 35 U.S.C. §112, second paragraph. In reply, Applicant amended dependent claims 21-23 to clarify readability of the claims, and to more clearly particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Although Applicant believes that the amended language of those claims clearly defines the present invention, should the Examiner 15 have any other proposed claim language, Applicant would welcome suggestions.

On page 3 of the Office Action, the Examiner rejected claims 1-3, 6, 7, and 9 under 35 U.S.C. §102(b) as anticipated by U.S. Patent No. 5,571,338 to Kadonome *et al.*

On page 4 of the Office Action, the Examiner rejected claims 1-3, 5, 6, and 9 under 35 U.S.C. §102(b) as anticipated by Tomiuchi *et al.*

20 On page 4 of the Office Action, the Examiner rejected claims 1-4, 8, 9, 10, 17, 18, 21, 22, 31, 32, and 34-37 under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,370,828 to Genschorek.

Applicant, however, has amended the claims as summarized in this Reply to improve clarity and readability of the claims.

25 Applicant respectfully urges, therefore, that the objections and rejections of the Examiner be withdrawn.

Applicant submits that the present invention was neither patented nor described in a printed publication in this or a foreign country, nor was it in public use nor on sale in this country, more than one year prior to the date of filing of the present application in the United 30 States.

Furthermore, the rejected claims now are allowable because they have been amended to clarify the features.

Conclusions

For the reasons set forth above, Applicant respectfully requests reconsideration and withdrawal of the rejection of the claims.

The remaining references cited by the Examiner, but not relied on for the rejection of claims, have been noted. Because the remaining references are no more pertinent than the applied references, a detailed discussion of these remaining references is deemed unnecessary for a full and complete Reply to the Office Action.

In conclusion, Applicant respectfully asserts that this Reply is complete as contemplated in 37 CFR §1.111, that the claims are patentable for the reasons set forth above, and that the Application is now in condition for allowance. Accordingly, Applicant respectfully requests an early notice of allowance. The Examiner is requested to call the undersigned at (505) 897-7200 for any reason that would advance the instant application to issue.

Respectfully submitted for Applicant,
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